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JAN 28 2005

OFFICE OF PETITIONS

In re Application of
Hideyuki Otake
Application No. 10/625,902
Filed: July 24, 2003
Attorney Docket No: OKI.556

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:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(b)
:

This is in response to the renewed petition filed under 37 CFR 1.47(b) on December 20, 2004.

The petition is **GRANTED**.

The above-identified application was filed on July 24, 2003 without an executed oath or declaration. Accordingly, on May 21, 2004, a "Notice To File Missing Parts of Nonprovisional Application" was mailed, requiring an executed oath or declaration and a surcharge for the late filing of the oath or declaration. In response, on October 6, 2004, a petition was filed, accompanied by the late filing surcharge and a four (4) month extension of time. On November 4, 2004, the petition was dismissed because an oath or declaration for the patent application in compliance with 37 CFR 1.63 and 1.64 had not been presented.

A grantable petition under 37 CFR 1.47(b) requires:

- (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings);
- (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;
- (3) the petition fee;
- (4) a statement of the last known address of the non-signing inventor;
- (5) proof of proprietary interest, and
- (6) proof of irreparable damage.

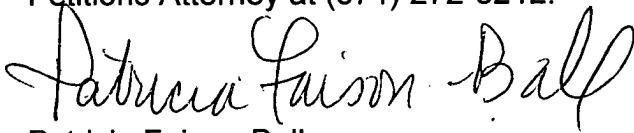
In response to the decision dismissing the petition filed October 6, 2004, an oath or declaration executed by the Manager of the Legal and Intellectual Property Division of Oki Electric Industry Co., Ltd., assignee, on behalf of the non-signing inventor. The

petition also indicates the Manager's authority to act and sign for the assignee.

All requirements under 37 CFR 1.47(b) therefore having been met, as provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being forwarded to the Office of Initial Patent Examination for further pre-examination processing.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in cursive script that reads "Patricia Faison-Ball". The signature is written in black ink and is positioned above the printed name and title.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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OFFICE OF PETITIONS

HIDEYUKI OTAKE
28-7 OHNO, MOMOYAMA-CHO
FUSHIMI, KYOTO, JAPAN

In re Application of
Hideyiuko Otake
Application No. 10/625,902
Filed: July 24, 2003
For: DIGITAL-TO-ANALOG CONVERTING CIRCUIT

Dear Mr. OTAKE:

You are named as the inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the inventor.

As the named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned Petitions Attorney at (571) 272-3212. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

cc:
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